UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,400	03/05/2001	Alan Tsu-I Yaung	1954P/STL920000109US1	2684

7590 08/10/2005	EXAMINER
SAWYER LAW GROUP	SAIN, GAUTAM
P.O. Box 51418	
Palo Alto, CA 94303	

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>31 May 2005</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-23</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-23</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1)   This is a Non-Final rejection in response to the amendments filed (with a request for continued examination) on 5/31/05.

2)   Applicant amended claims 1, 7, 14 and claims 1-23 are pending.

3)   Examiner applies the Chandra reference (previously introduced) to teach the amended claims (see rejection below for details) in conjunction with previously applied references.

Continued Examination Under 37 CFR 1.114

4)   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/31/05 has been entered.

Claim Rejections - 35 USC § 103

5)   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5-1)   Claims 1,2,3,6,7,8,9,10,13,14,15,16, 17, 20,21 are rejected under 35 U.S.C.

103(a) as being unpatentable over Triggs (US Patent 6546387 B1, filed Nov 15,

1999), in view of Chandra et al (US 2002/0138582, provisional filed 9/5/2000).

   Regarding claim 1,7,8, 14, 15, 21, Triggs teaches *a message caching agent for*

receiving the message (ie., information collection agents ... in an event database)(col

2, lines 30-43)(col 2, line 65 col 3, line 8)(ie., email readers ... incoming information)(col

5, lines 45-60).

   Triggs teaches *a message publishing agent ...page builder tool* (ie., web builder

tool publish as a web site in a format ...)(col 8, lines 49-line 67).

   Triggs does not expressly teach the amended limitations, but Chandra suggests

a message cache ... page builder tool (ie., the client enables the viewing of applications

off-line by creating snapshot of application in a locale cache with a reference to a

corresponding result object with a page editor (or builder) which allows the user to

assemble different building blocks into a page; applying the broadest reasonable

interpretation for the claim language to show a suggestion of the message cache in

connection with the page builder tool)(paragraph 341, 362).

   It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Triggs to include a client with a page builder that allows users to

assemble different building blocks that enables the viewing of application off-line by

creating snapshot of application in a locale cache as taught by Chandra, providing the

benefit of a communication system that provides ways to share messages, providing the

best features of e-mail, the web and instant messaging, linking messages to other

related messages to obtain a view of complex webs of messages and methods and

mechanisms that can aggregate related topical information within the context of a single

message or web of messages (Chandra, para 28 – 33).

Regarding claim 2, 9, 16, Triggs *teaches message publishing ... pushes ... tool*

(ie., reference to Microsoft Frontpage ... information is uploaded to the server ...)(col 8,

lines 55-67).

Regarding claims 6, 13, 20, Triggs teaches a *message publishing tool ...*

message caching agent (ie., Web Builder ... build web ites and publish them ...

Microsoft Frontpage reference ... information is uploaded to the holding server ...)(col 8,

lines 49-67).

Regarding claims 3, 10, 17, Triggs does not explicitly teach, but Chandra

teaches "publishing agent is a servlet" (ie., plurality of servlet constructs that implement

the services ... mail formatter which may be implemented in the form ... dynamic

content creation servlets .. web page formatter ... formatting web pages)(para 211).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Triggs to include web page formatters with a plurality of servlet

constructs that implement the services as taught by Chandra, providing the benefit of a

communication system that provides ways to share messages, providing the best

features of e-mail, the web and instant messaging, linking messages to other related

messages to obtain a view of complex webs of messages and methods and

mechanisms that can aggregate related topical information within the context of a single

message or web of messages (Chandra, para 28 – 33).

5-2)   Claims 4,5,11,12,18,19,22,23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over <u>Triggs</u> (as cited and applied to claims 1, 7, 14, respectively

above) and <u>Chandra</u> (as cited above), in view of <u>Underwood</u> et al (US Patent

6697825 B1, filed Aug 2000).

Regarding claims 4, 5, 11,12, 18,19, 22, 23, Triggs in view of Chandra falls

short of expressly teaching, but Underwood teaches a *message publish … request from*

the web browser … publishing the message … page builder tool (ie., Web Definer

allows users to construct and publish a complete web site using the definer)(col 9-

67)(ie., Content Definer …)(col 27, lines 28-54)(ie., Manager restores the user context

and extracts commands the user wishes to execute …every command sent to the

Definer … Manager generates response to a user request in HTML and passed back to

the user)(ie., Definer macros for producing documents within Definer web-site)(ie., user

clicks Notify on the page .. DXC constructs the HTML that contains the callback

messages … Definer Text Editor…)(col 50, lines 37-67; figure 73; fig 20, item 2000)(ie.,

applet that allows users to edit)(col 50, line 64-67).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Triggs in view of Chandra to include a Web Definer, a Content

Definer, a Manager that responds to user requests in HTML and defines macros with

applets for producing documents with a web site as taught by Underwood, providing the

benefit of an improved method and apparatus for web site generation that allows a user

to make various selections regarding of a web site and for the web site to maintain an

overall consistency, regardless of the choices and collection of various information from

an external database to be used in making automatic selections regarding the design of

a web site (col 3, lines 50-67).

Response to Arguments

6)   Applicant's arguments with respect to claims 1-23 have been considered but are

moot in view of the new ground(s) of rejection. Examiner uses the previously

introduced reference, Chandra to reject the amended portions of the claims. The thrust

of Applicant's arguments on page 8-11 deal with the claims as amended. Please see

the rejection above for details.   Applicant argues on pages 11-12, that the cited portions

of Chandra and Underwood fail to teach the respective claimed limitations according to

the Examiner's assertions. The Examiner's asserts that the references should be

viewed in their entirity rather than only the narrow cited portions. While, the citations

are merely guidance and evidentiary clues, the rejections are applied while viewing the

combinations of the references in their entirity. The Examiner further asserts that

application of the challenged references in their entirity does teach the claimed

limitations.

Conclusion

7)   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Gautam Sain whose telephone number is 571-272-

4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

GS

WILLIAM BASHORE
PRIMARY EXAMINER

8/5/2005